



062

PATENT
Customer No. 22,852
Attorney Docket No. 04329.2576-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Kazuo KONISHI et al.)	
)	Group Art Unit: 2612
Application No.: 09/871,815)	
)	Examiner: Justin P. Misleh
Filed: June 4, 2001)	
)	
For: VIDEO CAMERA APPARATUS)	Confirmation No.: 1967
FOR RECORDING A VIDEO)	
SIGNAL OBTAINED BY VIDEO)	
SHOOTING AFTER ENCODING IT)	
BY A COMPRESSION-ENCODING)	
SCHEME (As Amended))	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTICE OF NON-COMPLAINT AMENDMENT
UNDER 37 C.F.R. § 1.121 AND REQUEST TO RESTART PERIOD FOR REPLY

In reply to the Notice of Non-Complaint Amendment mailed January 3, 2006,
Applicants bring to the Examiner's attention the following remarks.

In the Office Action, the Examiner considered the response filed on
December 21, 2005, but found it to be non-complaint because drawings allegedly
submitted with the December 21 response failed to meet the requirements under 37
C.F.R. § 1.121(d). Applicants retrieved from PAIR the attached Submission of Formal
Drawings from the Image File Wrapper (IFW) of the present application. Applicants
respectfully point out, however, that the serial number listed on the Submission of

Formal Drawings is 08/871,815 not 09/871,815. Thus, it appears the Patent Office inadvertently entered the Submission for Application No. 08/871,815 in the IFW of Applicants' Application No. 09/871,815.

Therefore, Applicants respectfully submit that this non-complaint amendment is improper and request the Examiner to consider the Request for Reconsideration filed on December 22, 2005, a copy of which is enclosed.

Applicants further submit that the erroneous issuance of the Notice of Non-Compliant Amendment appears to have delayed the Examiner's consideration of Applicants' Request for Reconsideration filed December 22, 2005. Since the present application is under final rejection, Applicants request that the period for reply to the final Office Action dated September 23, 2005, be restarted, to compensate for the delay caused by the erroneous issuance of the Notice.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 26, 2006

By: 

Milan S. Kapadia
Reg. No. 55,982



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,815	06/04/2001	Kazuo Konishi	04329.2576	1967

22852 7590 01/03/2006

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

MISLEH, JUSTIN P

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Docketed 1/9/06 Attorney RVB MKJ
Case 04329-2576-00
Due Date 01-23-06
Action Replacement Drawings due
By npl

(Reminder: N/Appeal - 1 ext
due: 01/23/06 RTK)

JAN 10 2006

(Within the time period set forth
in the Final OA. VB)

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

09871815

Applicant(s)

Examiner

Art Unit

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 12-21-05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐ 1. Amendments to the specification:

- ☐ A. Amended paragraph(s) do not include markings.
☐ B. New paragraph(s) should not be underlined.
☐ C. Other _____

☐ 2. Abstract:

- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
☐ B. Other _____

☒ 3. Amendments to the drawings:

- ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
☐ C. Other _____

☐ 4. Amendments to the claims:

- ☐ A. A complete listing of all of the claims is not present.
☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
☐ E. Other: _____



For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officelflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

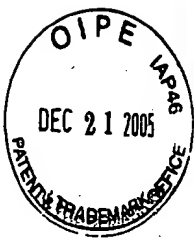
Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Barbara Allfender

Legal Instruments Examiner (LIE)

571-272-7018

Telephone No.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Thomas J. Perkowski
Applicant: :
Serial No. : 08/871,815
Filing Date : June 9, 1997
Title of Invention: INTERNET-BASED SYSTEM FOR STORING, MANAGING
AND SERVING CONSUMER PRODUCT-RELATED
INFORMATION OVER THE INTERNET USING
TRADEMARKS AND UNIVERSAL RESOURCE LOCATORS
(URLS) SYMBOLICALLY-LINKED BY MANUFACTURERS
OF CONSUMER PRODUCTS AND/OR THEIR AGENTS
Examiner : Yogesh Garg
Group Art Unit: 3625
Attorney Docket No.: 100-006USA000

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

SUBMISSION OF FORMAL DRAWINGS

Sir:

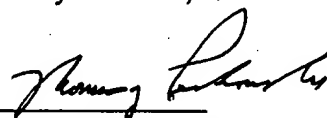
In response to the Notice of Allowability mailed September 16, 2005, Applicant submits herewith Sixteen (16) sheets of Formal Drawings for filing in the present Application.

The Formal Drawings include the changes proposed in the Request for Approval of Proposed Changes to Drawings filed under a separate cover.

The Commissioner is hereby authorized to charge any fee deficiencies or credit any overpayments to Deposit Account 16-1340.

Respectfully submitted,

Dated: December 16, 2005


Thomas J Perkowski, Esq.
Attorney for Applicant
Reg. No. 33,134
Thomas J. Perkowski, Esq., P.C.
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1266 East Main Street
Stamford, Connecticut 06902
203-357-1950
<http://www.tjpatlaw.com>

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Certificate of Mailing under
37 C.F.R. 1.8

I hereby certify that this correspondence
is being deposited with the United States
Postal Service on December 16, 2005, in a Postage
Prepaid envelope as, First Class Mail,
addressed to:

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Thomas J Perkowski, Esq.
Reg. No. 33,134
Date: December 16, 2005

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